THE HON'BLE SRI JUSTICE C.V. RAMULU

Tuesday, 26th September, 2006

W.P.No.20012 of 2006

Between:

M/s. Shri Disha Bio-Tech(P) Ltd.,
4-69, Canara Nagar, Peerzadiguda,
Uppal, R.R.District, Hyderabad-39,
Rep. by its M.D. Dr.E.Ravindranath … Petitioner

and

The Commissioner & Director of
Agriculture, Andhra Pradesh,
Gunfoundry, Hyderabad … Respondent

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ORAL ORDER:

Learned counsel on either side fairly conceded that the issue that arises for consideration in this Writ Petition is squarely covered by a Judgment of this Court rendered in Writ Petition No.8207 of 2006 and batch, dated 25-4-2006; therefore, this Writ Petition is also liable to be disposed of in terms of the said Judgment.

Following the same, this Writ Petition is disposed of holding that in view of the fact that no licence is required under the Insecticides Act,1968 for manufacture and sale of bio-products as long as they do not contain any ingredients of insecticide as mentioned in the schedule, i.e. Antagonistic Fungi and Bacteria, the respondent cannot interfere with the store, sale and distribution of bio-products belonging to the petitioner. It is needless to say, if the bio-products contain any chemical or insecticides, which endangers the environment, it is always open for the concerned authorities and by the Executive Magistrate in exercise of powers under Section 133 of the Criminal Procedure Code, to take appropriate action against the petitioner-manufacturer and the dealers of the said bio-products. No order as to costs.

26-9-2006

Office to furnish
CC within 3 days
(B.O.)
prk